



November 8, 2010

**Filed Electronically, &  
By Fax: (718) 613-2365**

United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
Attn: Judge Cheryl L. Pollak

**Re: The Gerffert Company, Inc. and Stephen Panigel v.  
James Dean, Andrea Bonella, Dolores King, et al.  
Civil Action No.: 09-266**

Dear Judge Pollak:

Please be advised that Howard Benjamin has informed me on Sunday, November 7, 2010 that he had a death in his family. His Aunt died after a one week illness. He also has informed me that he would not be in his office until November 9th or 10, 2010. As such I am requesting an extension of his time to respond to the motion until November 15, 2010 and that all other time periods are extended by the requested 7 day extension.

Respectfully,

THE MAGNOTTI LAW FIRM PLLC

By:   
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Stephen Panigel

*Request for extension  
is granted.*

*So Ordered  
CJL Pollak  
usmt  
11/8/10*